



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

AUZVILLE JACKSON, JR.
8652 RIO GRANDE ROAD
RICHMOND, VA 23229

COPY MAILED

JAN 17 2006

In re Application of

Nordt

Application No. 10/034,401

Filed: December 28, 2001

Attorney Docket No. 1440A(Nordt)

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.181, filed October 18, 2005, to withdraw the holding of abandonment.

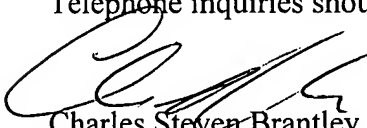
The petition is **granted**.

The above-identified application was deemed abandoned for failure to reply in a timely manner to the Notice of Non-Compliant Amendment mailed July 14, 2003, which set a shortened statutory period for reply of one (1) month or thirty (30) days (whichever is later). No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application was deemed abandoned as of midnight on August 14, 2003. A Notice of Abandonment was mailed on August 4, 2004.

Petitioner contends a reply was timely filed. Petitioner has supplied a showing in compliance with 37 CFR 1.8(b). Therefore, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

Technology Center Art Unit 3728 will be informed of the instant decision so that the examiner may further consider the merits of the application in due course.

Telephone inquiries should be directed to Petitions Attorney Steven Brantley at (571) 272-3203.


Charles Steven Brantley
Petitions Attorney
Office of Petitions